

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Timothy S. Buckley, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F037335 People v. Martinez

Cause called and argued by Kenneth M. Foley, Esq., counsel for appellant and by Charles A. French, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F036006 Noroian v. Green, et al

F036825 The Green Pool II v. Noroian

F037191 Noroian v. Green

F037918 Noroian v. First American Title Co.

Cause called and argued by Fredrick C. Meine, Esq., counsel for respondent The Green Pool II and by Carlos A. Alvarez, Esq., counsel for respondent First American Title Insurance Co. and by Gary McMillan, Esq., counsel for respondent Chicago Title Company; Glen Holder, Esq., counsel for respondent Maurice M. Green was present, but ineligible to argue.

Cause ordered submitted.

Court recessed until Tuesday, July 16, 2002 at 1:30 P.M.

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F037005 Marshall et al v. Continental Metroplex et al.

The order appealed from is vacated. The matter is remanded to the trial court with instructions to enter an order awarding the following sums to defendants Steven and Michael Zagaris, Paul Leffler, Paul M. Zagaris, Inc., and Zagaris Management Services Inc., collectively, as and for attorneys' fee:

--the total sum of \$108,655.00 for fees attributable to services rendered in connection with the prior appeal; and

--the total sum of \$6,250.00 for fees attributable to services rendered in connection with the motion for fees.

Each party shall bear its own costs and attorneys fees incurred in connection with this appeal. Dibiaso, Acting P.J.

We concur: Buckley, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038430 People v. Beard

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F038430 People v. Beard

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040711 Street v. Superior Court , County of Tulare; The People

Let a peremptory writ of mandate issue directing respondent court to send a copy of the preliminary hearing transcript to petitioner and the parole board forthwith.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F036729 People v. Smith

Appellant's petition for rehearing filed herein is denied.

IN THE
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IN AND FOR THE
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F036806 People v. Davis

The judgment is affirmed. Dibiaso, Acting P.J.

We concur: Buckley, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037273 People v. Dulaney

Appellant's petition for rehearing filed herein is denied.

**F040661 Robert B. v. The Superior Court of Stanislaus County; Stanislaus County
Community Services Agency**

Pursuant to the terms of this court's order of July 5, 2002, and the failure of any party to request oral argument, the oral argument date of August 1, 2002, is vacated. The matter is deemed submitted on the date of this order.